



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

HUGH EZEKIEL REID,	§	
Petitioner,	§	
	§	
vs.	§	CIVIL ACTION NO. 3:05-0488-HFF-JRM
	§	
MATTHEW B. HAMIDULLAH, Warden,	§	
FCI-Estill	§	
Respondent.	§	

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ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE  
MAGISTRATE JUDGE AND GRANTING RESPONDENT'S MOTION FOR SUMMARY  
JUDGMENT

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Petitioner, who is proceeding *pro se*, filed this action pursuant to Section 2241. The matter is before the Court for review of the Report and Recommendation (Report) from the Magistrate Judge suggesting that the Court grant Respondent's motion for summary judgment. The Report is made in accordance with 28 U.S.C. § 636 and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Matthews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on January 27, 2006. Petitioner failed to file any objections to the Report. In the absence of objections, the Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record<sup>1</sup> in this case pursuant to the standards set forth above, the Court adopts the Report to the extent that it does not contradict this Order and incorporates it herein. Therefore, it is the judgment of this Court that Respondent's motion for summary must be **GRANTED**.

**IT IS SO ORDERED.**

Signed this 21st day of February, 2006, in Spartanburg, South Carolina.

s/ Henry F. Floyd  
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 HENRY F. FLOYD  
 UNITED STATES DISTRICT JUDGE

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### **NOTICE OF RIGHT TO APPEAL**

Petitioner is hereby notified of the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

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<sup>1</sup>From its review of the Report and the record, the Court observes that footnote one (1) on page one (1) of the Report contains a scrivener's error. The footnote should read, "Reid was transferred to another institution in this district."